



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

**ELECTRONIC MAIL**  
**CONFIRMATION OF RECEIPT EMAIL REQUESTED**

Mr. Michael D. Chestnut  
331 Burton Avenue  
High Point, North Carolina 27262  
mchestnut@piedmontchemical.com

SUBJ: Request for Information Pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927  
Piedmont Chemical Industries, LLC., EPA ID# NCD003215779

Dear Mr. Chestnut:

The U.S. Environmental Protection Agency has identified Piedmont Chemical Industries, LLC (Piedmont) in High Point, North Carolina (the Facility) as a facility that is potentially subject to 15A NCAC 13A .0110 and the RCRA Organic Air Emission (RCRA OAE) regulations. The EPA is investigating the nature and extent of the RCRA OAE activities at the Facility. As part of this investigation the EPA has prepared this Request for Information (RFI) pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927.

The EPA will be using the Facility's response to this RFI to determine the Facility's compliance with the Resource Conservation and Recovery Act (RCRA) and North Carolina Solid Waste Management Law, N.C.G.S. §§ 130A-17 to 28 and 130A-290 to 310.22 and applicable regulations.

Pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, Piedmont management is hereby directed to respond, fully and truthfully, within thirty (30) calendar days of receipt of this letter, to the Information Request enclosed herein as Enclosure C (subject to the Instructions in Enclosure A, and the Definitions in Enclosure B). With your response, please include a signed copy of Enclosure D.

Compliance with this request for information is mandatory, and information provided by Piedmont may be used by the EPA in future enforcement actions. Failure to respond fully and truthfully to each and every question or information request within thirty (30) calendar days of receipt of this letter, or to adequately justify such failure to respond, may result in further enforcement action against Piedmont by the EPA pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. Your response to this request for information should be emailed to Brooke York at [york.brooke@epa.gov](mailto:york.brooke@epa.gov).

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. Piedmont may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described in 40 C.F.R. § 2.203(b), by attaching to such information, at the time it is submitted, a suitable notice employing language such

Internet Address (URL) <http://www.epa.gov>

as trade secret or proprietary or company confidential. Information covered by such a claim will be disclosed by the EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you intend to make such claim over any portion of your response, prior to submitting any response please contact the RCRA Document Control Officer, Brooke York, by email, to ensure appropriate procedures are followed. If no such claim accompanies the information when it is received by the EPA, it may be made available to the Public by the EPA without further notice to Piedmont. The EPA will construe the failure to furnish a confidentiality claim with your response to this letter as a waiver of that claim. Piedmont should read the above-cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

This Information Request is not subject to the approval requirement of the Paper Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

Should you have any questions on this matter, please contact Brooke York of my staff, by phone at (404) 562-8025 or by email at [york.brooke@epa.gov](mailto:york.brooke@epa.gov).

Sincerely,

for

Kimberly L. Bingham  
Chief  
Chemical Safety and Land Enforcement Branch

Enclosures

## ENCLOSURE A

### INFORMATION REQUEST

#### Instructions:

1. Identify the person(s) responding to these Information Requests on behalf of Respondent.
2. A separate response must be made to each of the Information Requests set forth herein.
3. Precede each answer with the number of the Information Request to which it corresponds.
4. In answering each Information Request question, identify all documents and persons consulted, examined, or referred to in the preparation of each response and provide true and accurate copies of all such documents.
5. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Moreover, should you find at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth; you must notify the EPA thereof as soon as possible.
6. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
7. Where specific information has not been memorialized in a document, but is nonetheless responsive to the Request, you must respond to the question with a written response.
8. If information responsive to this Information Request is not in your possession, custody, or control, then identify the person from whom such information may be obtained.
9. If you have reason to believe that there may be persons able to provide a detailed or complete response to any Information Request question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
10. The information requested herein must be provided even though the Respondent may contend that it includes possibly confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Section 3007(b) of RCRA, 42 U.S.C. Section 6927(b), Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. Sections 9604(e)(7)(E) and (F), and 40 C.F.R. Section 2.203(b), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as trade secret, or proprietary, or company confidential. Information covered by such a claim will be disclosed by the EPA only to the extent, and only by means, of the procedures set forth in statutes and regulation set forth above. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

## ENCLOSURE B

### INFORMATION REQUEST

#### Definitions:

The following definitions shall apply to the following words as they appear in this Information Request.

1. The terms AND and OR shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside their scope.
2. The term DOCUMENT and DOCUMENTS shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (including by way of illustration and not by way of limitation), any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, inter-office or intra-office communications, photostat or other copy of any documents, microfilm or other film record, photograph, sound recording on any type of device, punch card, disc or disc pack, tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use punch card, disc, disc pack, tape or the type of memory) including; (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure, notation, annotation, or the like of it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.
3. The term FACILITY shall mean Piedmont Chemical Industries, LLC facility located at 331 Burton Avenue, High Point, North Carolina.
4. The term IDENTIFY means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term IDENTIFY means, with respect to a corporation, partnership, business trust or other associate of a business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
6. The term IDENTIFY means, with respect to a document, to provide its customary business description, date, number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
7. The term PERSON includes, in the plural as well as the singular, any natural person, firm, unincorporated associate partnership, corporation, trust or other entity.

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8. The term TRANSACTION or ARRANGEMENT shall mean every separate agreement, act, deal, instance, or occurrence.
9. The term YOU or RESPONDENT shall mean the addressee of this Information Request, the addressee's officers, managers, employees, contractors, trustees, successors, assigns, and agents.

## ENCLOSURE C

### INFORMATION REQUEST

Please note, if the same document(s) or record(s) are responsive to multiple requests, please provide the document or record only once and reference the document in your response to each subsequent request. Additionally, for documents or records that contain data, please submit the responsive information in a file format that may be sorted and/or searched, such as Microsoft Excel or Access.

**1. 40 C.F.R. 265 Subpart AA-Air Emission Standards for Process Vents**

Please provide records related to any process vents subject to 40 C.F.R. 265 Subpart AA at the Facility. If no process vents or other equipment at the Facility is subject to 40 C.F.R. Part 265 Subpart AA, please state so. If no records are responsive to this request, please state so.

**2. 265 Subpart BB-Air Emission Standards for Equipment Leaks**

Does the Facility manage hazardous waste in tank systems or ancillary equipment (e.g., piping, valves, pumps, compressors, other fittings, etc.)? Is the organic concentration of the hazardous waste in the tank systems or ancillary equipment at least 10% by weight? Please provide analytical results from the point of waste origination, and any other relevant supporting documentation to demonstrate the organic concentration of the hazardous waste.

If the Facility manages hazardous waste with an organic concentration of at least 10% by weight in tank systems or ancillary equipment, please provide, the following records for 2021, 2020, 2019 and 2018:

- a. Operating record pursuant to 40 C.F.R. § 265.1064(b)(1) for each piece of equipment subject to BB to include;
  - i. Equipment identification number and hazardous waste management unit identification,
  - ii. Approximate location within the facility,
  - iii. Type of equipment,
  - iv. Percent-by-weight of total organics in hazardous waste stream at the equipment
  - v. Hazardous waste state at the equipment, and
  - vi. Method of compliance with the standard;
- b. Records pursuant to 40 C.F.R. § 265.1064(b)(4), which document compliance with 40 C.F.R. § 265.1060;
- c. Determination of Organic Concentration of at least 10% by weight pursuant to 40 C.F.R. § 265.1063(d);
- d. Leak Detection and Repair Program/Plan pursuant to 40 C.F.R. § 265.1064(b);
- e. All records resulting from the inspection, monitoring, repair, and delay of repair required by 40 C.F.R. 264 Subpart BB (40 C.F.R. § 265.1050-1062). These records include but are not limited to the methods used during the inspection or monitoring event, including any instrument calibration documentation, and all data collected in an organized format, the findings of the inspection or monitoring event, and any repairs required or completed during or following the inspection or monitoring event; and
- f. Piping and instrumentation diagram (P& ID) Schematic or Design Plan of all equipment managing hazardous waste with an organic concentration of least 10% by weight.

**3. 265 Subpart CC-Air Emission Standards for Tanks, Surface Impoundments and Containers**

Does the Facility manage hazardous waste in tank systems, surface impoundments, containers,

## ENCLOSURE C

closed vent systems or control devices (as defined by 40 C.F.R. § 265.1081)? Is the volatile organic (VO) concentration of this hazardous waste at least 500 ppm by weight? Please provide analytical results from the point of waste origination, and any other relevant supporting documentation to demonstrate the organic concentration of this hazardous waste.

If the Facility manages hazardous waste with a volatile organic concentration of at least 500 ppm by weight in tank systems, surface impoundments, containers, closed vent systems or control devices (as defined by 40 C.F.R. § 265.1081), please provide, the following records for 2021, 2020, 2019 and 2018:

- a. All records resulting from the inspection, monitoring, repair, and delay of repair required by 40 C.F.R. 264 Subpart CC. These records include but are not limited to the methods used during the inspection or monitoring event, including any instrument calibration documentation, and all data collected in an organized format, the findings of the inspection or monitoring event, and any repairs required or completed during or following the inspection or monitoring event;
- b. Waste Determination VO Concentration pursuant to 40 C.F.R. § 265.1084(a)(1);
- c. Determination on Maximum Organic Vapor Pressure (kPa/PSI);
- d. Written Plan/Inspection and Monitoring Schedule pursuant to 40 C.F.R. § 265.1089(b);
- e. Records of Inspection & Monitoring Requirements pursuant to 40 C.F.R. § 265.1090(b)(1&2);
- f. Maximum Organic Vapor Pressure Determination pursuant to 40 C.F.R. § 265.1090(b)(2);
- g. P& ID Schematic or Design Plan of all equipment managing hazardous waste with an VO concentration of 500 ppm by weight; and
- h. The equipment specifications for each safety device (emergency device), and pressure relief device associated with each hazardous waste tank and its ancillary equipment.

ENCLOSURE D  
**STATEMENT OF CERTIFICATION**

Piedmont Chemical Industries, LLC

I certify that I am authorized to respond to this Information Request on behalf of Piedmont Chemical Industries, LLC., and I certify under penalty of perjury that the foregoing is true and correct. Executed on \_\_\_\_\_, 2021.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)